

**PROCEEDINGS OF THE CITY COUNCIL  
CITY OF LONG BEACH  
MEETING OF FEBRUARY 7, 2017**

Present: Council President Torres and Council Members Diamond, Eramo, Mandel and Moore.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Building Code.

**Summary:** This amendment to the Code will enable the City to adopt a policy to report the energy use of municipal buildings on an annual basis, known as Building Energy Benchmarking.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

Adopted Unanimously

2. An "Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Fire Prevention and Protection" was tabled

**Summary:** This amendment to the Code will add a third deputy chief to the Fire Department.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

The Public Hearing will be continued at City Hall, 1 West Chester Street, Long Beach, New York, on February 21, 2017 at 7:00 p.m.

3. Resolution Authorizing the City Manager to Enter into Two Shared Service Agreements with the New York State Department of Transportation for Emergency Assistance

The City Manager is authorized to enter two Shared Services Agreements with the New York State Department of Transportation, one for shared services under \$10,000 and one for shared services up to \$100,000, for a period of one year, with an option for up to three additional years should both parties agree.

Adopted Unanimously

4. Resolution Authorizing the City Manager to Amend the Current Agreement for the Replacement of the Roof at the MLK Center and to Amend the Budget.

The City Manager is authorized to amend the agreement with More Consulting Corporation, Yaphank, New York for additional work needed for the repair of the metal rooftop at the MLK Center, at an additional cost of \$57,650. Funds in the amount of \$32,650, including the balance of \$15,650 from the original contract, will be available in Account No. H1017.52135 (MLK Center) and funds in the amount of \$25,000 are available in Account No. H1016.52135 (MLK Center) after the following budget amendment is approved:

**CAPITAL FUND**

Increase Estimated Revenues: A10510	\$5,800.00
H0045.45033 Interfund Transfers, General Fund	\$5,800.00
Increase Appropriations: A20960	\$5,800.00
H1017.52135 MLK Center	\$5,800.00

**GENERAL FUND**

2016-2017 Fiscal Year

Budget Code	Description	Transfer From	Transfer To
A1490.54444	Building Repairs	\$5,800.00	

A9950.59903 Interfund Transfer, Capital

\$5,800.00

Adopted Unanimously

5. Resolution Authorizing Budget Amendments to the General Fund and Water Fund for the 2016-2017 Fiscal Year.

The following amendments to the General Fund and the Water Fund for the 2016-2017 Fiscal Year are hereby authorized:

GENERAL FUND - 2016-2017 Fiscal Year

Increase Estimated Revenues:	A10510	\$906,249.00
A0027.42770 Other Unclassified Revenue (LB Aware)		\$22,080.00
A0040.44089 Other Federal Aid (Byrne JAG)		\$9,169.00
A0026.42680 Insurance Recoveries		\$800,000.00
A0025.42595 Masonry Charges		\$75,000.00

Increase Appropriations:	A20960	\$906,249.00
A3120.51103 Police OT		\$15,570.00
A9030.58030 SS		\$1,192.00
A9010.58011 PFRS		\$5,318.00
A3120.52220 Police Equipment		\$9,169.00
A1420.54453 Consultants		\$32,000.00
A9060.58060 Medical Insurance		\$768,000.00
A1490.54449 Masonry Repairs		\$75,000.00

WATER FUND - 2016-2017 Fiscal Year

Increase Estimated Revenues:	A10510	\$50,000.00
F0025.42560 Street Opening Permits		\$50,000.00
Increase Appropriations:	A20960	\$50,000.00
F8340.54410 Supplies and Materials		\$50,000.00

Adopted Unanimously

6. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 78 West Park Avenue (street floor), Long Beach, New York.  
Re: Restaurant

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 21, 2017 at 7:00 p.m.

Adopted Unanimously

7. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 143 East Park Avenue (street floor), Long Beach, New York.  
Re: Clothing/Shoe Store

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 21, 2017 at 7:00 p.m.

Adopted Unanimously

8. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Cost of Separation Payments To or For the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,450,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,450,000 Bonds of Said City to Finance Said Appropriation

WHEREAS, there has been presented to this Council the following proposed Bond Ordinance:  
“BOND ORDINANCE DATED FEBRUARY 21, 2017.

**BOND ORDINANCE AUTHORIZING FINANCING FOR THE COST OF SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,450,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,450,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.**

BE IT ENACTED, by the Council of the City of Long Beach, Nassau County, New York, as follows:

Section 1. The City of Long Beach, Nassau County, New York (herein called the “City”), is hereby authorized to finance the cost of separation payments to or for the benefit of employees of the City pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,450,000. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,450,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,450,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the aggregate principal amount of \$2,450,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness of the specific object or purpose for which said \$2,450,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.”

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 21, 2017 at 7:00 p.m.

Adopted Unanimously

9. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

**Summary:** This amendment to the Code will allow for the sale of limited alcoholic beverages at the concession stands adjacent to the boardwalk, pursuant to the terms and conditions of their concession leases with the City.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 21, 2017 at 7:00 p.m.

Adopted Unanimously

All Resolutions are available for inspection in the Office of the City Clerk during regular business hours.

Dated: February 8, 2017

David W. Fraser  
City Clerk